

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

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ANDRE R. JOHNSON

Plaintiff,

v.

THE KROGER CO.,

Defendant.

Civil Action

File No. \_\_\_\_\_

Removed from State Court of  
Fulton County, Civil Action File  
No. 23EV004834

**JURY TRIAL DEMANDED**

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**DEFENDANT THE KROGER CO.'S DEMAND FOR TWELVE PERSON  
JURY**

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**COMES NOW**, Defendant The Kroger Co., by and through the undersigned counsel, and pursuant to Federal Rules of Civil Procedure, Rule 38, hereby demands that this case be tried by a jury of twelve (12) persons.

Respectfully submitted this 8th day of September, 2023.

**GRAY, RUST, ST. AMAND,  
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/s/ Marc Hood

Matthew G. Moffett  
Georgia State Bar No.: 515323  
Marc Hood  
Georgia State Bar No.: 490821  
*Counsel for Defendant The Kroger Co.*

**CERTIFICATE OF SERVICE AND OF COMPLIANCE WITH L.R. 5.1**

This is to certify that on this date, the undersigned filed a true and correct copy of the foregoing pleading with the Clerk of Court using the CM/ECF system and served all parties of record via electronic service through the CM/ECF system to:

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*Counsel for Plaintiff*

Further, this is to certify that the foregoing pleading complies with the font and point selections approved by the Court in Local Rule 5.1. It is prepared in Times New Roman 14-point font.

Dated this 8th day of September, 2023.

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*/s/ Marc Hood*  
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